

House File 2627

H-8250

1 Amend House File 2627 as follows:

2 1. By striking everything after the enacting clause and
3 inserting:

4 <DIVISION I

5 PROFESSIONAL LICENSING

6 Section 1. Section 103.6, subsection 1, paragraph e, Code
7 2020, is amended by striking the paragraph.

8 Sec. 2. Section 103.9, subsection 3, Code 2020, is amended
9 by striking the subsection.

10 Sec. 3. Section 103.10, subsection 6, Code 2020, is amended
11 by striking the subsection.

12 Sec. 4. Section 103.12, subsection 6, Code 2020, is amended
13 by striking the subsection.

14 Sec. 5. Section 103.12A, subsection 4, Code 2020, is amended
15 by striking the subsection.

16 Sec. 6. Section 103.13, subsection 4, Code 2020, is amended
17 by striking the subsection.

18 Sec. 7. Section 103.15, subsection 7, Code 2020, is amended
19 by striking the subsection.

20 Sec. 8. Section 105.10, subsection 5, Code 2020, is amended
21 by striking the subsection.

22 Sec. 9. Section 105.22, subsection 4, Code 2020, is amended
23 by striking the subsection.

24 Sec. 10. Section 135.105A, subsection 5, Code 2020, is
25 amended to read as follows:

26 5. The department shall adopt rules regarding minimum
27 requirements for lead inspector, lead abater, and lead-safe
28 renovator training programs, certification, work practice
29 standards, and suspension and revocation requirements, and
30 shall implement the training and certification programs. Rules
31 adopted pursuant to this subsection shall comply with chapter
32 272C. The department shall seek federal funding and shall
33 establish fees in amounts sufficient to defray the cost of the
34 programs. The fees shall be used for any of the department's
35 duties under [this subchapter](#), including but not limited

1 to the costs of full-time equivalent positions for program
2 services and investigations. Fees received shall be considered
3 repayment receipts as defined in [section 8.2](#).

4 Sec. 11. Section 147.3, Code 2020, is amended to read as
5 follows:

6 **147.3 Qualifications.**

7 An applicant for a license to practice a profession under
8 this subtitle is not ineligible because of age, citizenship,
9 sex, race, religion, marital status, or national origin,
10 although the application form may require citizenship
11 information. ~~A board may consider the past criminal record of
12 an applicant only if the conviction relates to the practice of
13 the profession for which the applicant requests to be licensed.~~

14 Sec. 12. Section 147.55, subsection 5, Code 2020, is amended
15 by striking the subsection.

16 Sec. 13. Section 147A.7, subsection 1, paragraph j, Code
17 2020, is amended by striking the paragraph.

18 Sec. 14. Section 148.6, subsection 2, paragraph b, Code
19 2020, is amended by striking the paragraph.

20 Sec. 15. Section 148H.7, subsection 1, paragraph a, Code
21 2020, is amended by striking the paragraph.

22 Sec. 16. Section 151.9, subsection 5, Code 2020, is amended
23 by striking the subsection.

24 Sec. 17. Section 152.10, subsection 2, paragraph c, Code
25 2020, is amended by striking the paragraph.

26 Sec. 18. Section 153.34, subsection 9, Code 2020, is amended
27 by striking the subsection.

28 Sec. 19. Section 154A.24, subsection 1, Code 2020, is
29 amended by striking the subsection.

30 Sec. 20. Section 156.9, subsection 2, paragraph e, Code
31 2020, is amended by striking the paragraph.

32 Sec. 21. Section 272.1, Code 2020, is amended by adding the
33 following new subsection:

34 NEW SUBSECTION. 5A. *"Offense directly relates"* refers to
35 either of the following:

1 a. The actions taken in furtherance of an offense are
2 actions customarily performed within the scope of practice of
3 a licensed profession.

4 b. The circumstances under which an offense was committed
5 are circumstances customary to a licensed profession.

6 Sec. 22. Section 272.2, subsection 14, paragraph a, Code
7 2020, is amended to read as follows:

8 a. The board may deny a license to or revoke the license
9 of a person upon the board's finding by a preponderance of
10 evidence that either the person has been convicted of a ~~crime~~
11 an offense and the offense directly relates to the duties and
12 responsibilities of the profession or that there has been
13 a founded report of child abuse against the person. Rules
14 adopted in accordance with this paragraph shall provide that
15 in determining whether a person should be denied a license or
16 that a practitioner's license should be revoked, the board
17 shall consider the nature and seriousness of the founded abuse
18 or crime in relation to the position sought, the time elapsed
19 since the crime was committed, the degree of rehabilitation
20 which has taken place since the incidence of founded abuse or
21 the commission of the crime, the likelihood that the person
22 will commit the same abuse or crime again, and the number of
23 founded abuses committed by or criminal convictions of the
24 person involved.

25 Sec. 23. Section 272C.1, Code 2020, is amended by adding the
26 following new subsection:

27 NEW SUBSECTION. 7A. "*Offense directly relates*" refers to
28 either of the following:

29 a. The actions taken in furtherance of an offense are
30 actions customarily performed within the scope of practice of
31 a licensed profession.

32 b. The circumstances under which an offense was committed
33 are circumstances customary to a licensed profession.

34 Sec. 24. Section 272C.4, subsection 13, Code 2020, is
35 amended by striking the subsection.

1 Sec. 25. Section 272C.10, subsection 5, Code 2020, is
2 amended by striking the subsection and inserting in lieu
3 thereof the following:

4 5. Conviction of a felony offense, if the offense directly
5 relates to the profession or occupation of the licensee, in the
6 courts of this state or another state, territory, or country.
7 Conviction as used in this subsection includes a conviction of
8 an offense which if committed in this state would be a felony
9 without regard to its designation elsewhere, and includes a
10 finding or verdict of guilt made or returned in a criminal
11 proceeding even if the adjudication of guilt is withheld or not
12 entered. A certified copy of the final order or judgment of
13 conviction or plea of guilty in this state or in another state
14 constitutes conclusive evidence of the conviction.

15 Sec. 26. NEW SECTION. **272C.12 Licensure of persons licensed**
16 **in other jurisdictions.**

17 1. Notwithstanding any other provision of law, an
18 occupational or professional license, certificate, or
19 registration, including a license, certificate, or registration
20 issued by the board of educational examiners, shall be issued
21 without an examination to a person who establishes residency
22 in this state or to a person who is married to an active duty
23 member of the military forces of the United States and who is
24 accompanying the member on an official permanent change of
25 station to a military installation located in this state if all
26 of the following conditions are met:

27 a. The person is currently licensed, certified, or
28 registered by at least one other issuing jurisdiction in the
29 occupation or profession applied for with a substantially
30 similar scope of practice and the license, certificate, or
31 registration is in good standing in all issuing jurisdictions
32 in which the person holds a license, certificate, or
33 registration.

34 b. The person has been licensed, certified, or registered by
35 another issuing jurisdiction for at least one year.

1 *c.* When the person was licensed by the issuing jurisdiction,
2 the issuing jurisdiction imposed minimum educational
3 requirements and, if applicable, work experience and clinical
4 supervision requirements, and the issuing jurisdiction verifies
5 that the person met those requirements in order to be licensed
6 in that issuing jurisdiction.

7 *d.* The person previously passed an examination required by
8 the other issuing jurisdiction for licensure, certification,
9 or registration, if applicable.

10 *e.* The person has not had a license, certificate, or
11 registration revoked and has not voluntarily surrendered a
12 license, certificate, or registration in any other issuing
13 jurisdiction or country while under investigation for
14 unprofessional conduct.

15 *f.* The person has not had discipline imposed by any other
16 regulating entity in this state or another issuing jurisdiction
17 or country. If another jurisdiction has taken disciplinary
18 action against the person, the appropriate licensing board
19 shall determine if the cause for the action was corrected and
20 the matter resolved. If the licensing board determines that
21 the matter has not been resolved by the jurisdiction imposing
22 discipline, the licensing board shall not issue or deny a
23 license, certificate, or registration to the person until the
24 matter is resolved.

25 *g.* The person does not have a complaint, allegation, or
26 investigation pending before any regulating entity in another
27 issuing jurisdiction or country that relates to unprofessional
28 conduct. If the person has any complaints, allegations, or
29 investigations pending, the appropriate licensing board shall
30 not issue or deny a license, certificate, or registration to
31 the person until the complaint, allegation, or investigation
32 is resolved.

33 *h.* The person pays all applicable fees.

34 *i.* The person does not have a criminal history that would
35 prevent the person from holding the license, certificate, or

1 registration applied for in this state.

2 2. A person licensed pursuant to this section is subject to
3 the laws regulating the person's practice in this state and is
4 subject to the jurisdiction of the appropriate licensing board.

5 3. This section does not apply to any of the following:

6 a. The ability of a licensing board, agency, or department
7 to require the submission of fingerprints or completion of a
8 criminal history check.

9 b. Criteria for a license, certificate, or registration that
10 is established by an interstate compact.

11 c. The ability of a licensing board, agency, or department
12 to require a person to take and pass an examination specific to
13 the laws of this state prior to issuing a license. A licensing
14 board, agency, or department that requires an applicant to take
15 and pass an examination specific to the laws of this state
16 shall issue an applicant a temporary license that is valid
17 for a period of three months and may be renewed once for an
18 additional period of three months.

19 d. A license issued by the department of transportation.

20 e. A person who is licensed by another issuing jurisdiction
21 and is granted a privilege to practice in this state by another
22 provision of law without receiving a license in this state.

23 f. A person applying for a license through a national
24 licensing organization.

25 4. A license, certificate, or registration issued
26 pursuant to this section does not grant the person receiving
27 the license, certificate, or registration eligibility to
28 practice pursuant to an interstate compact. A licensing
29 board shall determine eligibility for a person to hold a
30 license, certificate, or registration pursuant to this section
31 regardless of the person's eligibility to practice pursuant to
32 an interstate compact.

33 5. For the purposes of this section, "*issuing jurisdiction*"
34 means the duly constituted authority in another state that has
35 issued a professional license, certificate, or registration to

1 a person.

2 Sec. 27. NEW SECTION. 272C.13 Educational requirements —
3 work experience.

4 1. Except as provided in subsection 2, a person applying
5 for a professional or occupational license, certificate, or
6 registration in this state who is not licensed, certified, or
7 registered in another state shall be considered to have met any
8 education, training, or work experience requirements imposed
9 by a licensing board in this state if the person has three or
10 more years of related work experience within the four years
11 preceding the date of application.

12 2. This section does not apply to a license, certificate,
13 or registration issued by the board of medicine, the board of
14 nursing, the dental board, or the board of pharmacy.

15 Sec. 28. NEW SECTION. 272C.14 Waiver of fees.

16 A licensing board, agency, or department shall waive any
17 fee charged to an applicant for a license if the applicant's
18 household income does not exceed two hundred percent of the
19 federal poverty income guidelines and the applicant is applying
20 for the license for the first time in this state.

21 Sec. 29. NEW SECTION. 272C.15 Disqualifications for
22 criminal convictions limited.

23 1. Notwithstanding any other provision of law to the
24 contrary, except for chapter 272, a person's conviction of a
25 crime may be grounds for the denial, revocation, or suspension
26 of a license only if an unreasonable risk to public safety
27 exists because the offense directly relates to the duties
28 and responsibilities of the profession and the appropriate
29 licensing board, agency, or department does not grant an
30 exception pursuant to subsection 4.

31 2. A licensing board, agency, or department that may deny a
32 license on the basis of an applicant's conviction record shall
33 provide a list of the specific convictions that may disqualify
34 an applicant from receiving a license. Any such offense
35 shall be an offense that directly relates to the duties and

1 responsibilities of the profession.

2 3. A licensing board, agency, or department shall not deny
3 an application for a license on the basis of an arrest that
4 was not followed by a conviction or based on a finding that an
5 applicant lacks good character, suffers from moral turpitude,
6 or on other similar basis.

7 4. A licensing board, agency, or department shall grant
8 an exception to an applicant who would otherwise be denied a
9 license due to a criminal conviction if the following factors
10 establish by clear and convincing evidence that the applicant
11 is rehabilitated and an appropriate candidate for licensure:

12 a. The nature and seriousness of the crime for which the
13 applicant was convicted.

14 b. The amount of time that has passed since the commission
15 of the crime. There is a rebuttable presumption that an
16 applicant is rehabilitated and an appropriate candidate
17 for licensure five years after the date of the applicant's
18 release from incarceration, provided that the applicant was
19 not convicted of sexual abuse in violation of section 709.4,
20 a sexually violent offense as defined in section 229A.2,
21 dependent adult abuse in violation of section 235B.20, a
22 forcible felony as defined in section 702.11, or domestic abuse
23 assault in violation of section 708.2A, and the applicant
24 has not been convicted of another crime after release from
25 incarceration.

26 c. The circumstances relative to the offense, including any
27 aggravating and mitigating circumstances or social conditions
28 surrounding the commission of the offense.

29 d. The age of the applicant at the time the offense was
30 committed.

31 e. Any treatment undertaken by the applicant.

32 f. Whether a certification of employability has been issued
33 to the applicant pursuant to section 906.19.

34 g. Any letters of reference submitted on behalf of the
35 applicant.

1 *h.* All other relevant evidence of rehabilitation and present
2 fitness of the applicant.

3 5. An applicant may petition the relevant licensing board,
4 agency, or department, in a form prescribed by the board,
5 agency, or department, for a determination as to whether the
6 applicant's criminal record will prevent the applicant from
7 receiving a license. The board, agency, or department shall
8 issue such a determination at the next regularly scheduled
9 meeting of the board, agency, or department or within thirty
10 days of receiving the petition, whichever is later. The
11 board, agency, or department shall hold a closed session
12 while determining whether an applicant's criminal record will
13 prevent the applicant from receiving a license and while
14 determining whether to deny an applicant's application on
15 the basis of an applicant's criminal conviction. A board,
16 agency, or department may charge a fee to recoup the costs of
17 such a determination, provided that such fee shall not exceed
18 twenty-five dollars.

19 6. *a.* A licensing board, agency, or department that
20 denies an applicant a license solely or partly because of
21 the applicant's prior conviction of a crime shall notify the
22 applicant in writing of all of the following:

23 (1) The grounds for the denial or disqualification.

24 (2) That the applicant has the right to a hearing to
25 challenge the licensing authority's decision.

26 (3) The earliest date the applicant may submit a new
27 application.

28 (4) That evidence of rehabilitation of the applicant may be
29 considered upon reapplication.

30 *b.* A determination by a licensing board, agency, or
31 department that an applicant's criminal conviction is
32 specifically listed as a disqualifying conviction and the
33 offense directly relates to the duties and responsibilities
34 of the applicant's profession must be documented in written
35 findings for each factor specified in subsection 5 sufficient

1 for a review by a court.

2 c. In any administrative or civil hearing authorized by
3 this section or chapter 17A, a licensing board, agency, or
4 department shall carry the burden of proof on the question of
5 whether the applicant's criminal offense directly relates to
6 the duties and responsibilities of the profession for which the
7 license is sought.

8 7. A board, agency, or department may require an applicant
9 with a criminal record to submit the applicant's complete
10 criminal record detailing an applicant's offenses with an
11 application. A board, agency, or department may also require
12 an applicant with a criminal record to submit a personal
13 statement regarding whether each offense directly relates to
14 the duties and performance of the applicant's occupation. For
15 the purposes of this subsection, "*complete criminal record*"
16 includes the complaint and judgment of conviction for each
17 offense of which the applicant has been convicted.

18 Sec. 30. RULEMAKING PROCEDURES AND APPLICABILITY.

19 1. The boards designated in section 147.13 other than the
20 board of medicine, the board of nursing, the dental board, and
21 the board of pharmacy, when carrying out rulemaking pursuant to
22 chapter 17A to implement the provisions of this Act, shall each
23 adopt the same rules, which shall be applicable to all such
24 boards. The bureau of professional licensure of the department
25 of public health shall assist the boards in carrying out such
26 rulemaking.

27 2. The accountancy examining board, the architectural
28 examining board, the engineering and land surveying examining
29 board, the interior design examining board, the landscape
30 architectural examining board, and the real estate commission,
31 when carrying out rulemaking pursuant to chapter 17A to
32 implement the provisions of this Act, shall each adopt the same
33 rules, which shall be applicable to all such boards and the
34 real estate commission. The professional licensing bureau of
35 the department of commerce shall assist the boards and the real

1 estate commission in carrying out such rulemaking.

2 3. This section shall not apply to any rulemaking pursuant
3 to chapter 17A by a board or commission to implement the
4 provisions of this Act that the board or commission determines
5 is necessary to address circumstances or legal requirements
6 uniquely applicable to the board or commission.

7 Sec. 31. EFFECTIVE DATE. This division of this Act takes
8 effect January 1, 2021.

9 DIVISION II

10 MISCELLANEOUS CHANGES

11 Sec. 32. Section 22.2, Code 2020, is amended by adding the
12 following new subsection:

13 NEW SUBSECTION. 2A. If feasible, the custodian of a public
14 record may provide for the electronic examination and copying
15 of a public record in lieu of requiring in-person examination
16 and copying of a public record. This subsection does not apply
17 to searches of all indexes, general and specific, of public
18 records relating to documents, instruments, and muniments of
19 title, for the purpose of performing title searches, real
20 property searches, or creating real property abstracts.

21 Sec. 33. Section 22.4, Code 2020, is amended to read as
22 follows:

23 **22.4 Hours when available Public records requests.**

24 The rights of persons under [this chapter](#) may be exercised
25 under any of the following circumstances:

26 1. In person, at any time during the customary office hours
27 of the lawful custodian of the records. However, if the lawful
28 custodian does not have customary office hours of at least
29 thirty hours per week, such right may be exercised at any time
30 from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m. Monday
31 through Friday, excluding legal holidays, unless the person
32 exercising such right and the lawful custodian agree on a
33 different time.

34 2. In writing, by telephone, or by electronic means. The
35 lawful custodian of the records shall post information for

1 making such requests in a manner reasonably calculated to
2 apprise the public of that information.

3 Sec. 34. Section 80A.1, subsection 12, Code 2020, is amended
4 to read as follows:

5 12. *“Private security business”* means a business of
6 furnishing, for hire or reward, guards, watch personnel,
7 armored car personnel, patrol personnel, or other persons to
8 protect persons or property, to prevent the unlawful taking of
9 goods and merchandise, or to prevent the misappropriation or
10 concealment of goods, merchandise, money, securities, or other
11 valuable documents or papers, and includes an individual who
12 for hire patrols, watches, or guards a residential, industrial,
13 or business property or district. *“Private security business”*
14 does not include a business for debt collection as defined in
15 section 537.7102.

16 Sec. 35. Section 89A.3, subsection 2, paragraph i, Code
17 2020, is amended to read as follows:

18 *i.* The amount of fees charged and collected for inspection,
19 permits, and commissions. Fees shall be set at an amount
20 sufficient to cover costs as determined from consideration
21 of the reasonable time required to conduct an inspection,
22 reasonable hourly wages paid to inspectors, and reasonable
23 transportation and similar expenses. The safety board shall
24 also be authorized to consider setting reduced fees for
25 nonprofit associations and nonprofit corporations, as described
26 in chapters 501B and 504.

27 Sec. 36. Section 125.38, subsection 1, Code 2020, is amended
28 to read as follows:

29 1. Subject to reasonable rules regarding hours of
30 visitation which the department may adopt, a patient in
31 a facility shall be granted an opportunity for adequate
32 consultation with counsel, and for continuing contact with
33 family and friends consistent with an effective treatment
34 program, provided that such consultation and contact may be
35 provided telephonically or electronically.

1 failure of a practitioner to fulfill contractual obligations
2 under [section 279.13](#); and develop any other classifications,
3 distinctions, and procedures which may be necessary to exercise
4 licensing duties. In addressing the failure of a practitioner
5 to fulfill contractual obligations, the board shall consider
6 factors beyond the practitioner's control.

7 Sec. 40. Section 483A.24, subsection 3, paragraph a, Code
8 2020, is amended to read as follows:

9 a. Fifty of the nonresident deer hunting licenses shall
10 be allocated as ~~requested by a majority of a committee~~
11 ~~consisting of the majority leader of the senate, speaker of~~
12 ~~the house of representatives, and director of the economic~~
13 ~~development authority, or their designees~~ determined by the
14 department. The licenses provided pursuant to [this subsection](#)
15 shall be in addition to the number of nonresident licenses
16 authorized pursuant to [section 483A.8](#). The purpose of the
17 special nonresident licenses is to allow state officials and
18 local development groups to promote the state and its natural
19 resources to nonresident guests and dignitaries. Photographs,
20 videotapes, or any other form of media resulting from the
21 hunting visitation shall not be used for political campaign
22 purposes. The nonresident licenses shall be issued without
23 application upon purchase of a nonresident annual hunting
24 license that includes the wildlife habitat fee and the purchase
25 of a nonresident deer hunting license. The licenses are valid
26 in all zones open to deer hunting. The hunter education
27 certificate requirement pursuant to [section 483A.27](#) is waived
28 for a nonresident issued a license pursuant to [this subsection](#).

29 Sec. 41. Section 483A.24, subsection 4, paragraph a, Code
30 2020, is amended to read as follows:

31 a. Fifty of the nonresident wild turkey hunting licenses
32 shall be allocated as ~~requested by a majority of a committee~~
33 ~~consisting of the majority leader of the senate, speaker of~~
34 ~~the house of representatives, and director of the economic~~
35 ~~development authority, or their designees~~ determined by the

1 department. The licenses provided pursuant to [this subsection](#)
2 shall be in addition to the number of nonresident licenses
3 authorized pursuant to [section 483A.7](#). The purpose of the
4 special nonresident licenses is to allow state officials and
5 local development groups to promote the state and its natural
6 resources to nonresident guests and dignitaries. Photographs,
7 videotapes, or any other form of media resulting from the
8 hunting visitation shall not be used for political campaign
9 purposes. The nonresident licenses shall be issued without
10 application upon purchase of a nonresident annual hunting
11 license that includes the wildlife habitat fee and the purchase
12 of a nonresident wild turkey hunting license. The licenses are
13 valid in all zones open to wild turkey hunting. The hunter
14 education certificate requirement pursuant to [section 483A.27](#)
15 is waived for a nonresident issued a license pursuant to this
16 subsection.

17 Sec. 42. Section 543D.9, Code 2020, is amended to read as
18 follows:

19 **543D.9 Education and experience requirement.**

20 The board shall determine what real estate appraisal or
21 real estate appraisal review experience and what education
22 shall be required to provide appropriate assurance that
23 an applicant for certification is competent to perform the
24 certified appraisal work which is within the scope of practice
25 defined by the board. All experience required for initial
26 certification shall be performed as a registered associate
27 real estate appraiser acting under the direct supervision of
28 a certified real estate appraiser who meets the supervisory
29 requirements established by applicable federal authorities or
30 federal law, rule, or policy in effect at the time the hours
31 of experience are claimed, except as the board may provide by
32 rule. Subject to requirements or limitations established by
33 applicable federal authorities or federal law, rule, or policy,
34 hours qualifying for experience in a bordering state will
35 be considered qualifying hours for experience in this state

1 without requiring a waiver or authorization from the board in
2 accordance with rules and standards adopted by the board, as
3 long as a majority of qualifying hours are completed in this
4 state. Qualifying hours completed in a bordering state shall
5 be under the direct supervision of a certified real estate
6 appraiser with active certification in that bordering state.
7 The board shall prescribe a required minimum number of tested
8 hours of education relating to the provisions of [this chapter](#),
9 the uniform appraisal standards, and other rules issued in
10 accordance with [this chapter](#).

11 Sec. 43. Section 544A.8, Code 2020, is amended by adding the
12 following new subsection:

13 NEW SUBSECTION. 5. A person applying to the board for
14 licensure who has passed a module of the architect registration
15 examination but failed to pass the exam shall not be required
16 to retake the module that the applicant previously passed in
17 subsequent examinations.

18 Sec. 44. REPEAL. Chapter 9D, Code 2020, is repealed.

19 Sec. 45. REPEAL. Sections 135B.10 and 135B.11, Code 2020,
20 are repealed.

21 Sec. 46. 2018 Iowa Acts, chapter 1142, section 8, as amended
22 by 2019 Iowa Acts, chapter 85, section 118, is amended to read
23 as follows:

24 SEC. 8. FUTURE REPEAL. [Section 155A.44](#), Code 2018, is
25 repealed effective July 1, ~~2020~~ 2021.

26 Sec. 47. CONTINUING EDUCATION REQUIREMENTS. The boards
27 designated in section 147.13 shall require licensees required
28 to complete continuing education credits prior to the renewal
29 of a license set to expire in 2020 to complete such continuing
30 education credits by June 30, 2021. A license set to expire in
31 2020 shall not expire until June 30, 2021.

32 Sec. 48. CONTINUING EDUCATION — ELECTRONIC MEANS. For the
33 period beginning on the effective date of this Act through June
34 30, 2021, notwithstanding any provision of law to the contrary,
35 each licensing board, as defined in section 272C.1, shall allow

1 licensees to satisfy continuing education requirements by
2 electronic means.

3 Sec. 49. TELEHEALTH SERVICES — TEMPORARY PROVISIONS.

4 1. For the period beginning on the effective date of this
5 Act through June 30, 2021, notwithstanding section 514C.34,
6 subsection 1, paragraph "c", the definition of "telehealth"
7 shall include the delivery of health care services through
8 an audio-only telephone transmission. The commissioner of
9 insurance shall ensure that any health carrier, as defined in
10 section 514J.102, shall reimburse a health care professional,
11 as defined in section 514J.102, for medically necessary,
12 clinically appropriate covered services for telehealth services
13 provided to a covered person, as defined in section 514J.102,
14 on the same basis and at the same rate as the health carrier
15 would apply to the same health care services provided to a
16 covered person by the health care professional in person.

17 2. For the period beginning on the effective date of this
18 Act through June 30, 2021, notwithstanding section 147.137, 653
19 IAC 13.11, 641 IAC 155.2, and other implementing administrative
20 rules establishing preconditions, limitations, or restrictions
21 on the provision of telehealth or telemedicine services,
22 telehealth and telemedicine services may be provided without
23 such preconditions, limitations, or restrictions.

24 3. For the period beginning on the effective date of this
25 Act through June 30, 2021, notwithstanding 641 IAC 155.21(19),
26 641 IAC 155.23(4), and other administrative rules which require
27 in-person interactions with health care providers and allow
28 in-person visitation in inpatient treatment programs, such
29 interactions and visitations may occur by electronic means.

30 Sec. 50. TELEHEALTH SERVICES — REPORTS.

31 1. The three largest private health care systems in
32 the state, the university of Iowa health care system, and
33 associations representing carriers and health care providers,
34 as defined in section 514C.13, shall, by March 15, 2021, submit
35 reports to the general assembly that include the following

1 data:

2 a. The overhead and administrative cost savings for
3 telehealth services as compared to in-person health care
4 services, specified by covered service.

5 b. Investments made in telehealth services.

6 c. The number of telehealth services that are followed by
7 in-person health care visits.

8 d. The rate of potentially preventable events for
9 individuals utilizing in-person health care services as
10 compared to telehealth services, including but not limited
11 to hospital admissions, hospital readmissions, and hospital
12 emergency department use.

13 e. The rate of medication adherence for individuals
14 utilizing in-person health care services as compared to
15 telehealth services.

16 f. The utilization of telehealth services as compared
17 to in-person health care services, specified by both the
18 percentage of dollars spent and claims.

19 g. Any incidences of fraud, waste, or abuse identified by
20 the carrier.

21 2. Each report under subsection 1 shall present data
22 separately based on whether the patient received telehealth
23 services in a health care facility or in another location.
24 If available, each report shall also include information on
25 whether a patient is a resident of a rural area of Iowa.

26 Sec. 51. SCHOOL PHYSICALS — TEMPORARY PROVISIONS. For
27 the period beginning on the effective date of this Act through
28 December 31, 2020, a student participating in interscholastic
29 athletics who presents to the student's superintendent a
30 certificate signed on or after July 1, 2019, by a licensed
31 physician or surgeon, osteopathic physician or surgeon,
32 chiropractor, physician assistant, or advanced registered nurse
33 practitioner, to the effect that the student has been examined
34 and may safely engage in athletic competition, shall be deemed
35 to have complied with the regulatory provisions of 281 IAC

1 36.14(1).

2 Sec. 52. SHAREHOLDER MEETINGS — TEMPORARY PROVISIONS. For
3 the period beginning on the effective date of this Act
4 through December 31, 2020, notwithstanding the provisions of
5 chapters 490, 491, 499, and 501A requiring an in-person meeting
6 of shareholders, policyholders, or members, an in-person
7 meeting of shareholders, policyholders, or members shall
8 not be required if the meeting is held by means of remote
9 communication and provides shareholders, policyholders, or
10 members a reasonable opportunity to participate in the meeting
11 and to vote on matters submitted for action at such meeting,
12 including an opportunity to communicate and to read or hear the
13 proceedings of the meeting, substantially concurrent with the
14 occurrence of such meeting.

15 Sec. 53. EFFECTIVE DATE. This division of this Act, being
16 deemed of immediate importance, takes effect upon enactment.>

17 2. Title page, by striking lines 1 through 6 and inserting
18 <An Act relating to governmental and regulatory matters
19 including the granting and renewal of licenses, certificates,
20 and registrations, and including effective date provisions.>

LUNDGREN of Dubuque